

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

MAR 1 - 2006

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA)

v.)

ORAS KEITH DRIVER)

CR. NO. 3:06CR57-MHT

[18 USC 922(g)(3);
21 USC 844(a)]

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about the 30th day of April, 2005, in LaFayette, Alabama, within the Middle District of Alabama,

ORAS KEITH DRIVER,

defendant herein, knowingly possessed a firearm, to wit: a Hi Point, Model CF380, .380 caliber pistol, Serial Number P796901, while being an unlawful user and addicted to a controlled substance, all in violation of Title 18, United States Code, Section 922(g)(3).

COUNT 2

On or about the 30th day of April, 2005, in LaFayette, Alabama, within the Middle District of Alabama,

ORAS KEITH DRIVER,

defendant herein, did knowingly and intentionally possess a Schedule I Controlled Substance, to wit: marijuana, in violation of Title 21, United States Code, Section 844(a).

FORFEITURE ALLEGATION

A. Counts 1 and 2 of this indictment are hereby repeated and incorporated herein by reference.

B. Upon conviction for the violation of Title 18, United States Code, Section 922(g)(3), as alleged in Count 1 of this indictment, the defendant,

ORAS KEITH DRIVER,

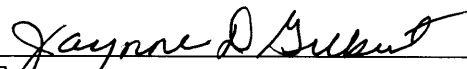
shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

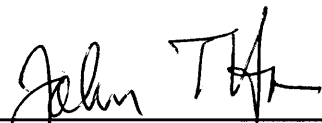
One Hi Point, Model CF380, .380 Caliber Pistol, Serial Number P796901.


C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
 - (2) has been transferred, sold to, or deposited with a third person;
 - (3) has been placed beyond the jurisdiction of the court;
 - (4) has been substantially diminished in value; or,
 - (5) has been commingled with other property which cannot be divided without difficulty;
- the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an order of this Court forfeiting any other property of said defendant up to the value of the property described in paragraph B above, all in violation of Title 18, United States Code, Section 922.

A TRUE BILL:


Foreperson


John T. Harmon
Assistant United States Attorney


Kent B. Brunson
Assistant United States Attorney